

CRC TRAINING ON PUBLIC RECORDS

“The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.” Cal. Const., Art. 1, Sec. 3(b)(1)

“The records of the commission pertaining to redistricting and all data considered by the commission are public records that will be posted in a manner that ensures immediate and widespread public access.” Gov. Sec. 8253(a)(2)

“[A]ccess to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.” Public Records Act, Gov. Code Sec. 6250

Very broad definition of records in Gov. Code Sec. 6252

“(e) ‘Public records’ includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”

“(g) ‘Writing’ means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.”

Public records are open to inspection at all times. Gov. Code Sec. 6253 (a) Requests for copies of public records may be made orally or in writing, and agency must respond within 10 days as to whether or not the records will be provided. Gov. Code Sec. 6252 (c)

Major exceptions where disclosure is not required (Secs. 6254-6255)

Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.

Records pertaining to pending litigation

Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.

On the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.